

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ANTHONY WICK,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

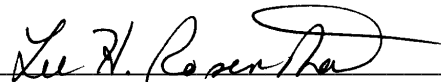
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CIVIL ACTION NO. H-11-0286

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION**

This court has reviewed the Memorandum and Recommendation of the United States Magistrate Judge signed on December 30, 2011, and has made a *de novo* determination of the Magistrate Judge's recommended disposition of the cross-motions for summary judgment. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). No objections have been filed. This court finds that the Memorandum and Recommendation should be, and is, adopted as this court's Memorandum and Order. This court grants the defendant's motion for summary judgment and denies the plaintiff's motion for summary judgment, finding that the ALJ's decision that the plaintiff was not disabled because he retained the ability to perform his past relevant work is supported by substantial evidence and resulted from the application of proper legal standards. Final judgment dismissing this case is separately entered.

SIGNED on January 23, 2012, at Houston, Texas.



Lee H. Rosenthal  
United States District Judge